

United States Environmental Protection Agency

IN THE MATTER OF: Felix Ayala and Sylvette Ayala d/b/a Cantera El Roble State Road 627,km 2.0 Pinas Ward Toa Alta Puerto Rico 00953	DOCKET NUMBER CWA-02-2009-3451
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U.S. ENVIRONMENTAL
PROTECTION AGENCY REGIONAL
2010 MAR 23 AM 6:43
REGIONAL HEARING
OFFICE

ANSWER TO THE COMPLAINT

III FINDINGS OF VIOLATION

15. Deny. Since February 2006, activities at the facilities were minimum. Actions were taken to bring the project into compliance with regulations, but the facilities never recover their common use.
16. Admit.
17. Admit
18. Admit
19. Admit
20. Deny. There is no discharge of pollutants from the facilities to La Plata River.
21. Admit
22. Admit
23. Admit
24. Admit
25. Admit

26. Admit

27. Admit

28. Admit

29. Admit

30. Admit

31 Explain

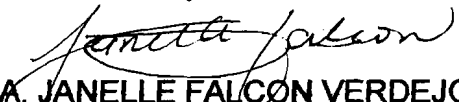
- a. There was no NPDES permit coverage, because Mr. Felix Ayala was going thru a hardship economic situation since february 2006 ,when he ceased activities at the facilities to bring the project into compliance with the regulations.
- b. The site was never back to the same activities as from 2003.
- c. There were several machines still at the place , but there were not working at the site.
- d. Mr. Felix Ayala is an Alzheimer patient, reason for why he moved the berns. The situation was immediately corrected by taking new controls.
- e. No sediments are reaching La Plata River.
- f. Erosion and Sediments control were apropiately maintained when facilities were in use. There is no longer activity at the facilities.

32. Admit

33. Deny.

I hereby certify that a true copy of this answer to the complaint, was served to Carolina Jordan Garcia ,Assistant Regional Counsel.

Respectfully submitted in Toa Alta, Puerto Rico, this 16th day of March ,2010.


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